

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA**

ELIZABETH GIRARD; BEULAH
SLESSER; and SUZANNE MCLEOD, as
Personal Representative of the Estate of
Hansell B. Malone, III,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 2:22-cv-00022-FL

GISELE GUTHRIE; SANDRA GORDON;
BRENDA BRUNDAGE; CARLEEN
BURWELL; DONNA ALTMAN; and
JOANN DUNCAN,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 4:22-cv-00097-D-RN

DAVID FANCHER; LEE FUTRELL;
JOHN ORUE; CRAIG UNTERBERG;
ARIEL ALVARADO; DENNIS TOLES;
CAROLE CARLSON; and DENNIS
MONROE,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 5:22-cv-00315-D-RN

ISAAH WILSON, JR., as Personal
Representative of the Estate of
Jerome Wilson; and THELMA S. FIGGS, as
Personal Representative of the Estate of
Robert A. Figgs, Sr.,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

GLANZER FLOYD JOLLY; ANTHONY
TAYLOR; PETER OPTEKAR; RONNIE
BROPHY; DENNIS PETERSON;
SILAS ROLLINS; and DONALD
STRINGFELLOW,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CYNTHIA BLACKMER, AS
REPRESENTATIVE OF THE ESTATE
OF DAVID F. BLACKMER,
FELICIA BAZEMORE, AS
REPRESENTATIVE OF THE ESTATE
OF ALLEN RAY HARDY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 5:22-cv-00316-M-RJ

Civil Action No.: 5:22-cv-00317-M-RN

Civil Action No.: 7:22-cv-00123-FL

TIMOTHY PUGH,

Plaintiff,

VS.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 7:22-cv-00124-BO-BM

JOHN BELT, JR., JOYCE LUKEN, and
BEVERLY MCCLAIN,

Plaintiff,

VS.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 7:22-cv-00125-D-RJ

THOMAS WHATLEY and FRED
PALUMBO as personal representative of
the estate of JOAN S. PALUMBO,

Plaintiff,

VS.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 7:22-cv-00126-D-BM

PHOEBE LYNN HEDGES

Plaintiff,

Civil Action No.: 7:22-cv-00127-BO-BM

vs.)	
)	
UNITED STATES OF AMERICA,)	
Defendant.)	
)	
SHARON MASON as the Administrator for)	
the Estate of RITA ROSEBERRY,)	Civil Action No.: 7:22-cv-00128-FL
)	
Plaintiff,)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
JERRY DEFORGE, JAMES FLENOURY,)	
DAVID SHARPE, FRANCES CARTER as)	Civil Action No.: 7:22-cv-00129-D-RN
Administrator for the Estate of RONALD)	
CARTER, and JOEL PEDALINE,)	
)	
Plaintiff,)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
JACK GONZALEZ, WILLIAM)	
MCDOWELL and KATHRYN PIRNIA,)	Civil Action No.: 7:22-cv-00130-D-KS
)	
Plaintiff,)	
)	
vs.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

JEROME M. ENSMINGER, as Personal
Representative of the Estate of Jane
Ensminger; ISIAH LAWSON, as Personal
Representative of the Estate of Gertrude
Lawson; KERRICK W. BREEN, as Personal
Representative of the Estate of Christine M.
Breen; DANIEL WAX; and
RANDY FLOYD,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

MICHAEL SEAN PARTAIN; DARLENE
BROOKS, as Personal Representative of the
Estate of James Brooks, Jr.; LAWRENCE
EVANS; and KRIS THOMAS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

WILSON MERCADO

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 7:22-cv-00131-BO-RJ

Civil Action No.: 7:22-cv-00132-D-RJ

Civil Action No.: 7:22-cv-00133-BO-RJ

CLAUDIA MCCLARRIN, LINDA CRISP
as representative of the Estate of Michelle
Causey and PATRICIA WARREN as
Representative of the estate of ROSEANNE
WARREN

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

RONNIE MANNS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

TAMMY PRISNER,
EDWARD LUTHY, JR., as the Administrator
for the Estate of Charlotte Luthy, Deceased,
MELODY RICHARDS,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

ANDREA WEINER f/k/a ANDREA
MICHELE BYRON,

Plaintiff,

Civil Action No.: 7:22-cv-00135-FL

7:22-cv-135-FL
Motion DENIED.

This the 2nd day of September, 20 22.

/s/Louise W. Flanagan, U.S. District Judge

Civil Action No.: 7:22-cv-00136-M-RJ

Civil Action No.: 7:22-cv-00137-BO-RJ

Civil Action No.: 7:22-cv-00139-FL

vs.

UNITED STATES OF AMERICA,

Defendant.

ALFRED BENSON; JOSEPHINE
DELVALLE, as Personal Representative
of the Estate of Raymond DelValle;
THOMAS CLARK; JOHN ROY,
and PATTY JESSUP, as Personal
Representative of the Estate of Gary
Jessup, Sr.

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

SANDRA CLINE and MARK PERRY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

DONALD STRINGFELLOW, ON BEHALF
OF HIMSELF AND ALL OTHERS
SIMILARLY SITUATED,

Plaintiff,

Civil Action No.: 7:22-cv-00140-BO-KS

Civil Action No.: 7:22-cv-00141-D-RN

Civil Action No.: 7:22-cv-00145-M-KS

vs.

UNITED STATES OF AMERICA,

Defendant.

CATHLENE BREWER, JEFFREY
HOPKINS, JAMES T. MAXWELL,
SHERRY A. MILLER,
GENA M. PARKHURST,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

STEPHEN ISAKSEN,
as representative of the estate of PATRICIA
A. ISAKSEN,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

ELIZABETH S. AKERS as Personal
Representative of the Estate of PAUL C.
AKERS

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

Civil Action No.: 7:22-cv-00150-M-BM

Civil Action No.: 7:22-cv-00153-D-KS

Civil Action No.: 7:22-cv-00154-M-RJ

PLAINTIFFS' AND DEFENDANT'S JOINT MOTION FOR CONSOLIDATION

Plaintiffs in the above-captioned cases (“Plaintiffs”), together with the Defendant United States of America (the “government”), hereby submit the following Joint Motion for Consolidation regarding current and future cases brought under the Camp Lejeune Justice Act of 2022 (the “CLJA”), pursuant to Federal Rule of Civil Procedure 42(a).

The Motion

1. Plaintiffs have filed suit under the CLJA.
2. The government has previously stated that over one million Marines and their families were potentially affected by the toxic drinking water at Camp Lejeune. Plaintiffs believe that hundreds of thousands of additional individuals have claims and may ultimately file suit against the government asserting a cause of action under the CLJA.
3. The CLJA creates a new and unique cause of action for exposure to toxic water supplied by the government at Camp Lejeune, North Carolina.
4. Cases under the CLJA, including Plaintiffs’ cases, will involve numerous common issues of law and fact.
5. Consolidation will not prejudice any party, including the government. To the contrary, consolidation will save the Court and the parties considerable time and expense and will limit the risk of duplication and inconsistent rulings.

For the reasons stated herein and in the accompanying Memorandum, the Plaintiffs, together with the United States, jointly request that the Court adopt and enter the proposed order,

attached as Exhibit A, consolidating cases brought under the CLJA, which is filed simultaneously herewith.¹

Respectfully submitted by each Plaintiff's counsel, as docketed in their respective cases, and by the United States.

¹ The United States maintains that Plaintiffs have not yet complied with section 2675 of title 28 of the United States Code, as required by the CLJA. Plaintiffs disagree and maintain that they have already presented their claims to the Department of the Navy once and are therefore not required to present them a second time. Nevertheless, Plaintiffs and the government jointly ask the Court to consolidate all CLJA cases in anticipation of such disputes, to expedite proceedings and save the parties and the Court significant time and expense.

Date: August 26, 2022

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